

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 13-47 remain in this application and as amended herein, are submitted for the Examiner's reconsideration.

In the Office Action, the Examiner acknowledged that the present application claims foreign priority but indicated that only *some* of the certified copies of the priority documents have been received (Item 12). However, the application claims the priority of only one foreign application, Japanese Application No. 09-222292 filed August 19, 1997. A certified copy of this application was filed with the U.S. Patent and Trademark Office together with the U.S. application. It is therefore requested that the Examiner acknowledge that *all* certified copies of the priority documents have been received.

Turning now to the art rejections, claims 13-47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over LaJoie (U.S. Patent No. 5,850,218) in view of Wasilewski (U.S. Patent No. 6,215,530). It is submitted, however, that the claims are patentably distinguishable over the references.

The LaJoie patent describes look-up tables, shown in FIG. 5, that determine descriptive information and the source of services associated with respective channels. A channel table 101 associates each channel with a specific service type 111 using a pointer from a location on the channel table that corresponds to a particular channel to a location on a service table 103 that corresponds to a respective service type. The service table 103 stores descriptive information 125 for each service type 111 and associates each service type with its source through another pointer from a reference location 123 on the table 103 that corresponds to the particular service type to a location on one of parameter tables 105, 109, 127, 129 and

131. When a channel is associated with different services during different time intervals, the pointer from location 123 points to a split parameter table 107 which identifies the service associated with each time interval. (See col. 16, lines 10-63). LaJoie does not, however, suggest *forming a bit stream* that includes any of the above tables. Further, LaJoie does not suggest transmitting such a bit stream, as acknowledged by the Examiner.

Moreover, though LaJoie describes that *programs and services* are supplied to a cable headend through analog and digital satellite broadcasts and sent to a set-top box (see col. 2, lines 52-55 and col. 4, lines 36-38), the reference does not suggest that *tables* are transmitted in this manner. Rather, LaJoie only describes that as new services become available, reserved spaces or spaces *within* the service table 103 are assigned to the new service. (See col. 17, lines 23-29).

The Wasilewski patent describes a multi-service communications system in which different services are transmitted over one or more frequency channels. A logical channel table (LCT) and a composite channel table (CCT) may be transmitted as part of a transport stream. The LCT provides a mapping from a logical channel number (LCN) of a specific service to a transport stream ID and program number on which the service is found. When the logical channel number represents a composite channel, namely, when the service is carried over different channels at different times, the LCT provides a mapping to a home channel which carries the composite channel table (CCT) that provides a pointer to the currently active transport stream ID and program number. (See Figs. 1, 3 and 4; col. 1, lines 13-16; col. 3, line 26 - col. 4, line 3; col. 4, lines 48-65; col. 5, line 38 - col. 6, line 11; and col. 7, lines 35-60). The patent therefore describes a bit stream that includes a data table that either refers to another data table

carried by another bit stream or to a program number within another bit stream. Wasilewski does not suggest a bit stream including a data table that includes at least one index which *refers to a location of an on-screen display message* within another data table in another bit stream. Moreover, Wasilewski does not suggest that a bit stream including a data table that includes both an on-screen display message as well as at least one index. Further, the patent does not suggest that the on-screen display message of this bit stream has a *higher priority* than the on-screen display message in the other bit stream.

Neither LaJoie nor Wasilewski suggests:

forming a second bit stream including a second data table that includes at least one index which refers to a location of the first on-screen display message within the first data table and that includes a second on-screen display message having a higher priority than the first on-screen display message and which is readable independent of the first bit stream

as called for in claim 13.

It follows that neither LaJoie nor Wasilewski, whether taken alone or in combination, suggests the method defined in claim 13. Therefore, claim 13 is patentably distinct and unobvious over the references.

Claims 14-24 depend from claim 13 and each further defines and limits the invention set out in the independent claim. It follows that each of claims 14-24 likewise defines a combination that is patentably distinguishable over the references.

Independent claim 25 is directed to an apparatus for transmitting information that includes a second encoder having limitations similar to those set out in claim 13. Claim 25 is therefore patentably distinguishable over LaJoie and Wasilewski at least for the same reasons.

Claims 26-36 depend from claim 25 and are distinguishable over the references at least for the same reasons.

Independent claim 37 defines a readable medium recorded with instructions for carrying out the method of claim 13 and is therefore distinguishable over LaJoie and Wasilewski at least for the same reasons.

Regarding independent claim 38, neither LaJoie nor Wasilewski suggests forming a data table that includes an index which refers to a location of an on-screen display message in another data table and that includes an on-screen display message, as set out above. Therefore, neither LaJoie nor Wasilewski suggests:

forming, from the second bit stream, a second data table that includes at least one index which refers to a location of the first on-screen display message within the first data table and that includes a second on-screen display message

as recited in claim 38.

Further, neither LaJoie nor Wasilewski suggests that the priority of the message transmitted in one bit stream is *greater than* the priority of a message transmitted in another bit stream, as described above. Neither LaJoie nor Wasilewski suggests:

determining that the priority of the second on-screen display message is greater than the priority of the first on-screen display message

as called for in claim 38.

Therefore, neither LaJoie nor Wasilewski, whether taken alone or in combination, suggests the method defined in claim 38, and claim 38 is therefore patentably distinct and unobvious over the references.

Claims 39-40 depend from claim 38 and each includes the limitations set forth in the independent claim as well as

additional limitations. It follows that each of claims 39-40 likewise defines a combination that is patentably distinguishable over the references.

Independent claim 41 relates to an apparatus for receiving transmitted information that includes a processor having limitations similar to those set out in claim 38. It follows that claim 41 is patentably distinguishable over LaJoie and Wasilewski at least for the same reasons.

Claims 42-43 depend from claim 41 and are therefore distinguishable over the references at least for the same reasons.

Independent claim 44 is directed to a readable medium recorded with instructions for carrying out the method of claim 41. Therefore, claim 44 is distinguishable over LaJoie and Wasilewski at least for the same reasons.

Independent claim 45 defines a method of delivering information that includes limitations similar to those set out in claims 13 and 38, independent claim 46 relates to a system for delivering information that includes an apparatus for transmitting the information similar to that defined in claim 25 and that includes an apparatus for receiving the transmitted information similar to that defined in claim 41, and independent claim 47 is directed to a readable medium recorded with instructions for carrying out the method of claim 45. Therefore, each of claims 45-47 is patentably distinguishable over the LaJoie and Wasilewski at least for the same reasons.

Accordingly, the withdrawal of the rejection of claims 13-47 under 35 U.S.C. § 103 is respectfully requested.

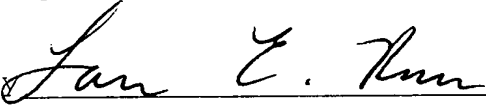
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested

that the Examiner telephone applicant's attorney at (908)654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 22, 2004

Respectfully submitted,

By 

Lawrence E. Russ
Registration No.: 35,342
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant